

REMARKS

I. Formalities

Claims 1-27 remain in the subject patent application. Claims 23-27 were withdrawn from further consideration in a telephone conversation between the undersigned attorney and Examiner Hung Nguyen on August 4, 2005. Such withdrawal of claims 23-27 is hereby confirmed. No claims are amended, canceled, or added herein. Accordingly, Applicants respectfully submit that no new matter is added herein.

II. Response to the 35 U.S.C. §103 Rejections

Claims 1-22 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over U.S. Patent No. 6,050,849 to Chang (hereinafter “Chang”) in view of U.S. Patent No. 6,716,047 to Milan (hereinafter “Milan”). These rejections are respectfully traversed in view of the remarks made below.

A. Remarks Directed to Claim 1

Claim 1 of Applicants’ invention is directed to a universal serial bus (USB) hub having a first USB port at a top portion of the hub and a second USB port at a side of the hub. The Office Action admits that Chang fails to disclose a second USB port at the side of the hub, but asserts that Milan does make such a disclosure “in figure 2-3,” which Applicants interpret to mean “in figures 2 and 3.” Figures 2 and 3 of Milan show two USB ports at a single surface of a USB hub. However, they fail to disclose a first USB port at a first surface and a second USB port at a different surface of a USB hub. The other figures of Milan likewise fail to disclose a USB ports at two different surfaces. In short, both Chang and Milan show a USB hub with a USB port or ports at a single surface only. These disclosures, even when combined, are not sufficient to teach or suggest a USB hub with a first USB port at a top portion of the hub and a second USB port at a side of the hub, as required by claim 1.

Based on the foregoing, Applicants respectfully submit that the rejection of claim 1 should be withdrawn. Such withdrawal of the rejection is respectfully requested.

B. Remarks Directed to Claims 2-14

Dependent claims must be construed to include all of the limitations of the claims from which they depend, as required by 37 C.F.R. 1.75(c) and M.P.E.P. 608.01(n). Therefore, claims 2-14, which depend from claim 1, are also not taught or suggested by Chang or Milan, or their combination, for at least the same reasons as listed earlier for claim 1. Accordingly, Applicants respectfully request that the rejections of claims 2-14 be withdrawn.

Furthermore, claims 3 and 5 require that the top portion of the USB hub comprise a first region and a second region, where the first region is higher than the second region and the first USB port is at the first region. Chang fails to teach or suggest the limitations of claims 3 or 5. The Office Action asserts that the first region is the region surrounding opening 104 and that the second region is the recessed surface of opening 104 where element 50 is located. However, the recessed surface of opening 104 is an interior portion of the Chang device and is not a region of the top portion, as required. FIG. 3 of Chang clearly shows that the USB ports are not located at a first region that is higher than a second region of the top portion. FIG. 3, in fact, appears to show that what the Office Action calls the top portion has only a single region having only a single level, with no region of the top portion being higher than any other region of the top portion. Claims 3 and 5 are thus also allowable for at least this additional reason.

Further with respect to claim 4, Chang completely fails to teach or suggest a hole located between the first side and the second side and extending from the top portion to the bottom portion. The Office Action asserts that opening 104 is the required hole, and that it extends from the top portion to the bottom portion of the hub, as required. However, it is readily apparent from an examination of Chang's drawing figures that such is not the case. Very clearly, opening 104 is a shallow recess in the top portion, and does not extend to the bottom portion. Claim 4 is thus also allowable for at least this additional reason.

Further with respect to claim 8, it was shown above that neither Chang nor Milan disclose the limitations of claims 2 and 3. Claim 8 includes the limitations of claims 2 and 3, and is thus also allowable for the same reasons as given above for claims 2 and 3.

Further with respect to claim 9, while it may be well known to make USB ports accessible for interconnection, as pointed out in the Office Action, it is respectfully submitted that claim 9 refers to a type of port access that is not standard and well known. Claim 9 depends from claim 8, which claim states that the first region of the USB hub extends into the hole in the second USB hub when the second USB hub is stacked on top of the first USB hub, and that the first USB port is located at the first region. Claim 9 requires that the first USB port be accessible when the second USB hub is stacked on top of the first USB hub. It is respectfully submitted that it is neither obvious nor well known for a portion of a USB hub having a USB port thereon to be inserted into a hole of a different USB hub in such a way that the USB port is accessible. Claim 9 is thus also allowable for at least this additional reason.

C. Remarks Directed to Claim 15

Claim 15 of the present application contains limitations similar to those of claims 1, 3, and 4. The Office Action asserts that Milan discloses: (1) a first downstream USB port located at the first region of the top portion; (2) a second downstream USB port located at the second side; (3) an upstream USB port located at the second side; and (4) a hole located between the first side and the second side that extends from the top portion to the bottom portion. Despite this assertion, however, Milan fails to teach or suggest at least elements (1) or (2) and (4) from the foregoing list, and thus cannot support the rejection of claim 15. More specifically, Milan discloses USB ports only at a single surface or side of a USB hub, and does not disclose a USB hub with USB ports on both the top and a side. Additionally, Milan does not disclose a hole extending between the top portion and the bottom portion. The Office Action does not identify any portion of Milan where a disclosure of such a hole is made, and a careful examination of Milan has failed to reveal any such disclosure. The failure of Chang to disclose such a hole was discussed above. In short, the disclosures of Chang and Milan, even when combined, fall significantly short of any teaching or suggestion sufficient to disclose the limitations of claim 15.

Based on the foregoing, Applicants respectfully submit that the rejection of claim 15 should be withdrawn. Such withdrawal of the rejection is respectfully requested.

D. Remarks Directed to Claims 16-22

Dependent claims must be construed to include all of the limitations of the claims from which they depend, as required by 37 C.F.R. 1.75(c) and M.P.E.P. 608.01(n). Therefore, claims 16-22, which depend from claim 15, are also not taught or suggested by Chang or Milan, or their combination, for at least the same reasons as listed earlier for claim 15. Accordingly, Applicants respectfully request that the rejections of claims 16-22 be withdrawn.

Further with respect to claim 18, Chang fails to disclose even as much as a second USB hub, and thus cannot disclose the limitations with respect to the accessibility of the first USB port when the two USB hubs are stacked one atop the other. Applicants can find no suggestion in Chang whatsoever regarding the stacking of two USB hubs. Furthermore, there appears to be no teaching or suggestion in Chang of a hole extending from the top portion to the bottom portion of a USB hub, as was explained above. Claim 18 is thus also allowable for at least these additional reasons.

III. Remarks Directed to the Art Made of Record and Not Relied Upon

The art made of record and not relied upon is thought to neither show, disclose, teach, nor suggest the invention that is the subject of the pending application.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance, and believe that all of the pending claims are now in condition for allowance. Indeed, Applicants respectfully submit that they have found several of the rejections in the Office Action to be puzzling, in light of their apparent disconnection from the reality of the patent disclosures. Accordingly, and further in light of the remarks set forth above, Applicants respectfully request reconsideration and allowance of all of the pending claims.

No fees are believed to be due in connection with this paper. However, the Commissioner for Patents is hereby authorized to charge any fees necessitated by this Response, or credit any overpayment, to Account No. 02-4467.

If there are matters that can be discussed by telephone to further the prosecution of this application, Applicants invite Examiner Nguyen to call the undersigned attorney at the Examiner's convenience.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kenneth A. Nelson". The signature is fluid and cursive, with the first name "Kenneth" being more prominent.

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CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. 1.10.

I hereby certify that this document (and any referred to as being attached or enclosed) is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service, mailing label No. **EV199938575US on December 22, 2005** and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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